

**APPROVED**



**Department of Planning and Community Development**

Kelly Phelan, Conservation Planner

90 Pond Street

Braintree, MA 02184

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Mayor Joseph C. Sullivan

**CONSERVATION COMMISSION  
MEETING MINUTES  
THURSDAY, APRIL 9, 2009 7PM**

**FLETCHER HALL – TOWN HALL**

**PUBLIC HEARING**

**REQUEST FOR DETERMINATION OF APPLICABILITY**

**APPLICANT: Paul Pacheco**

**LOCATION: 517-525 Grove Street**

Members Present: Gus Murphy, Vice-Chair  
Alan Weinberg  
Matt Hobin  
Kate Waldron

Staff: Kelly Phelan

Jong Yoon, engineer for the project, was present on behalf of the applicant. Mr. Yoon presented the site plan showing an addition to the existing autobody shop and stormwater treatment system. A small detention basin is proposed to compensate for the increase in impervious area from the building addition. Mr. Yoon noted the wetland was about 70' from the rear property line. He revised the design to locate the basin out of the 100' buffer zone though there is a small area of grading in the buffer zone.

Mr. Weinberg asked about the slope of the basin and if it would be seeded. Mr. Yoon replied that the slope was 3:1 and that the basin would be seeded.

Mr. Murphy asked about snow storage and removal. Mr. Yoon replied that snow would be plowed into some of the vehicles spaces and they would lose parking spaces during that time.

Staff noted that the stormwater discharge was out of the buffer zone and therefore technically out of the Commission's jurisdiction so the project was not reviewed for compliance with the stormwater management standards.

Staff also noted that a vernal pool area exists in the wetland and that under the local wetland bylaw, the area 100' from a vernal pool boundary was also considered a resource area. However, the applicant had revised the plan to move the basin out of that 100' area. Staff recommended that Commission issue a negative Determination with conditions for erosion control.

Motion by Mr. Weinberg, second by Ms. Waldron to issue a negative Determination of Applicability with the conditions on erosion control as drafted by staff and close the public hearing. Vote: 4-0.

## **OTHER BUSINESS**

Members Present: Gus Murphy, Vice-Chair  
Alan Weinberg  
Matt Hobin  
Kate Walron

Staff: Kelly Phelan

The Commission decided to table the discussion on the Wetland Bylaw Ordinance, Open Space Plan and Conservation Land Rules and Regulations until the next meeting when a full board is present.

### **Request for Certificate of Compliance**

Staff noted that a resident had come into the office that morning to request a Certificate of Compliance on her lot on Saint Claire Street. An Order of Conditions (DEP File # 8-86) was issued in 1978 for a 15 lot subdivision. This resident needed to a Certificate in order to clear the Order of Conditions from the property title and sell the house. Several of the lots had received partial Certificates over the years. Staff recommended issuing the partial Certificate of Compliance for 190 Saint Claire Street.

Motion by Mr. Weinberg, second by Ms. Waldron, to issue a partial Certificate of Compliance. Vote: 4-0.

### **Approval of Minutes**

Motion by Mr. Weinberg, second by Ms. Murphy, second by Mr. Hobin, to approve the minutes of March 26, 2009 as amended. Vote: 4-0.

### **Motion to Adjourn**

Motion by Mr. Weinberg at 7:40PM, second by Ms. Waldron, to adjourn the meeting. Vote: 4-0.

Minutes prepared by Kelly Phelan